

REMARKS

The Examiner rejected claims 1-12 under U.S.C. §102(e), as being unpatentable by Tornkvist (20050090247). It is well established patent law that for an anticipation based on a single reference under 35 U.S.C. § 102 to be sustained, every element of the claimed device must appear in the reference. See MPEP 706.02 and Panduit Corp. v Dennison Mfg. Co. 774 F2d. 1082, 1105, 227 USPQ 337, 350 (Fed. Cir. 1985) and Dana Corp. v American Axle Mfg. Inc. 61 USPQ 2d 1609,1611 (Fed. Cir. 2002). Applicant's method connects a wireless roamer with a called party through the interactive voice response unit. Tornkvist does not. Instead, Tornkvist redirects the connection from the first user (wireless roamer) to the second user (called party). Furthermore, Tornkvist does not include "... sending the dialed number of the called party to the interactive voice response unit." This rejection is respectfully traversed.

LARSON & LARSON,
ATTORNEYS
AT
LAW

11199-69th STREET N.
LARGO, FL 33773-5504
PH. 727-546-0660
FAX 727-545-1595

The Tornkvist patent is restricted to providing a service. One such service is playing an announcement such as "Your account is too low for the call" as described in the field of the invention:

The present invention relates to a method and system of facilitating service delivery to users in a communications system, and more particularly to a method and system of facilitating service delivery to a first user registered with a home network for a particular service having an associated announcement accessible to a service subsystem of said home network in a communications system while the user is roaming in a visited network or PLMN of the communications system. [underline added for emphasis]

This is further exemplified in Fig. 5, "Play announcement." Page 5, paragraph 69 broadens the services to "any service requiring assist from a Service Resource Point/Function."

Furthermore, Customized Applications for Mobile network Enhanced Logic (CAMEL) is required to perform the functions of the Tornkvist patent (page 4, paragraph 55). The applicant's invention does not require CAMEL.

LARSON & LARSON,
ATTORNEYS
AT
LAW

11199-69th STREET N.
LARGO, FL 33773-5504
PH. 727-546-0660
FAX 727-545-1595

Therefore, Tornkvist does not provide the functionality of the applicant's Claim 1. Furthermore, applicant's Claim 1 has been amended to remove "the playing of a brief recorded message" and to add that the wireless call is bridged to the called party by the interactive voice response unit. As shown in Fig. 2, step 222, the IVR 118 initiates a call to the called party 124 through, for example, the PSTN 112. In contrast to the applicant's invention, the Tornkvist patent includes in the independent claims, "setting up said connection" and later "redirecting said connection from said first user to said second user." The applicant's invention does not redirect to a station analogous to the second user. Instead, the present invention instructs the switch to connect the first user with an entity titled "Interactive Voice Response Unit" (IVR) (see page 14 lines 1-5). There is no redirection. Furthermore, in Tornkvist, the original dialed number and the subscriber's mobile identification numbers are not sent from the SCP to the IVR (page 14 lines 17-20) as in the applicant's claim 1.

In view of the differences between applicant's method and Tornkvist, it is believed that the rejection of Claim 1 based on U.S.C. §102(e) must be withdrawn.

LARSON & LARSON,
ATTORNEYS
AT
LAW

11199-69th STREET N.
LARGO, FL 33773-5504
PH. 727-546-0660
FAX 727-545-1595

Claim 2 is allowable for the same reasons as with claim 1 with the addition that Tornkvist does not use the transaction capabilities application part message which is part of the American National Standards Institute (ANSI) Signal System number 7 (SS7) (applicant's page 9, lines 5-7) and does not send the mobile switching center identification number. In view of the differences between applicant's method and Tornkvist, it is believed that the rejection of Claim 2 based on U.S.C. §102(e) must be withdrawn.

Claim 3 is allowable for the same reasons as with claim 1 with the addition that Tornkvist does not use the transaction capabilities application part message which is part of the American National Standards Institute (ANSI) Signal System number 7 (SS7) (applicant's page 9, lines 5-7) and does not send the dialed number nor the mobile switching center identification number. In view of the differences between applicant's method and Tornkvist, it is believed that the rejection of Claim 3 based on U.S.C. §102(e) must be withdrawn.

Claim 4 is allowable for the same reasons as with claim 1 with the addition that Tornkvist does not determine if the call is a long distance call. In view of the differences between applicant's method and Tornkvist, it is believed that the rejection of Claim 4 based on U.S.C. §102(e) must be withdrawn.

LARSON & LARSON,
ATTORNEYS
AT
LAW

11199-69th STREET N.
LARGO, FL 33773-5504
PH. 727-546-0660
FAX 727-545-1595

Claim 5 is allowable for the same reasons as with claim 1 with the addition that Tornkvist does not create a table nor does it send the dialed digits and the mobile identification number to the interactive voice response unit. In view of the differences between applicant's method and Tornkvist, it is believed that the rejection of Claim 5 based on U.S.C. §102(e) must be withdrawn.

Claims 6 -12 are allowable for the same reasons as with claim 1. In view of the differences between applicant's method and Tornkvist, it is believed that the rejection of Claims 6-12 based on U.S.C. §102(e) must be withdrawn.

Claims 17-22 have been added and are fully supported by the specification page 10, line 19 through page 16, line 5.

Claim 17 is allowable for the same reasons as claim 1 and because Tornkvist does not include, "matching a caller identification number with the mobile identification number..."

Claim 18 is allowable for the same reasons as claim 1 and 17.

Claim 19 is allowable for the same reasons as claim 1 and 17 and because Tornkvist does not use the transaction capabilities application part message which is part of the American National Standards Institute (ANSI) Signal System

LARSON & LARSON,
ATTORNEYS
AT
LAW

11199-69th STREET N.
LARGO, FL 33773-5504
PH. 727-546-0660
FAX 727-545-1595

number 7 (SS7) (applicant's page 9, lines 5-7) and does not send the called number and the mobile switching center identification number.

Claim 20 is allowable for the same reasons as claim 1 and 17.

Claim 21 is allowable for the same reasons as claim 1 and 17 and because Tornkvist does not suppress a ring tone.

Claim 22 is allowable for the same reasons as claim 1 and because Tornkvist does not include, "responding to the authorization request with an authorization response including the routing number of the interactive voice response unit" and does not include "matching a caller identification number with the mobile identification number..." and does not "initiating a first connection by the serving mobile switching center between the wireless station and the interactive voice response unit..." In the applicant's invention, the IVR uses caller-id to associate the incoming call with the subscriber's mobile identification number makes a call to the original dialed number (e.g., the second user) through, for example, the PSTN (page 15, line 13-15) and once connected, the IVR bridges its connection from the first user onto its connection with the second user (page 15, lines 19-22).

LARSON & LARSON,
ATTORNEYS
AT
LAW

11199-69th STREET N.
LARGO, FL 33773-5504
PH. 727-546-0660
FAX 727-545-1595

In view of the differences between applicant's method and Tornkvist, it is believed that Claim 17-22 are novel and should be allowed.

In view of all the above, it is believed that Claims 1-12 and 17-22 are now in condition for allowance. Such action is earnestly solicited.

Respectfully submitted,



Frank Liebenow
Registration No. 48,688
Agent for Applicant
LARSON & LARSON, PA
11199 69th Street North
Largo, Florida 33773
(727) 546-0660 phone
(727) 545-1595 fax

Customer No. 22497

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I, Lynn A. Raffin, hereby certify that this paper is being deposited with the United States Postal Service "First Class Mail" service under 37 C.F.R. §1.8 on the date indicated below in an envelope addressed to the **Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.**

Date: 12-9-05


LYNN A. RAFFIN

LARSON & LARSON,
ATTORNEYS
AT
LAW

11199-69th STREET N.
LARGO, FL 33773-5504
PH. 727-546-0660
FAX 727-545-1595